

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>L. RUTHER,</b>	:	<b>CIVIL ACTION NO. 1:13-CV-1640</b>
	:	
<b>Plaintiff</b>	:	<b>(Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>UNITED STATES OFFICERS,</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

AND NOW, this 8th day of August, 2013, upon consideration of the Report and Recommendation of United States Magistrate Judge Susan E. Schwab (Doc. 4), recommending that plaintiff's application to proceed *in forma pauperis* (Doc. 2) be granted and that plaintiff's complaint (Doc. 1) be dismissed, and, following an independent review of the record, and noting that Plaintiff filed objections<sup>1</sup> to the report (Doc. 5) on July 17, 2013, and the court finding Magistrate Judge Schwab's analysis to be thorough and well-reasoned, it is hereby ORDERED that:

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<sup>1</sup> Where objections to a magistrate judge's report and recommendation are filed, the court must perform a *de novo* review of the contested portions of the report. Supinski v. United Parcel Serv., Civ. A. No. 06-0793, 2009 WL 113796, at \*3 (M.D. Pa. Jan. 16, 2009) (citing Sample v. Diecks, 885 F.2d 1099, 1106 n. 3 (3d Cir. 1989); 28 U.S.C. § 636(b)(1)(c)). "In this regard, Local Rule of Court 72.3 requires 'written objections which . . . specifically identify the portions of the proposed findings, recommendations or report to which objection is made and the basis for those objections.'" Id. (citing Shields v. Astrue, Civ. A. No. 07-417, 2008 WL 4186951, at \*6 (M.D. Pa. Sept. 8, 2008)). The court notes that plaintiff's objections are illegible and incomprehensible.

1. The Report and Recommendation of Magistrate Judge Schwab (Doc. 4) are ADOPTED.
2. Plaintiff's application to proceed *in forma pauperis* (Doc. 2) is GRANTED.
3. Plaintiff's complaint (Doc. 1) is DISMISSED without prejudice. Plaintiff is granted leave to file an amended complaint within twenty (20) days of the date of this order, which shall address the deficiencies set forth in Judge Schwab's Report and Recommendation. Failure to file an amended complaint in a timely fashion shall be deemed an abandonment of these claims and this matter shall be dismissed with prejudice.
4. The above-captioned case is REMANDED to Magistrate Judge Schwab for further proceedings.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge